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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

MICHELLE PEREDIA,

Plaintiff,

v.

KANE & MYERS, PLLC, d/b/a and a/k/a  
THE702FIRM,

Defendant.

Case No. 2:23-cv-02132-APG-MDC

**STIPULATION TO EXTEND TIME TO  
FILE PROPOSED DISCOVERY PLAN  
AND SCHEDULING ORDER**

**(FIRST REQUEST)**

Defendant Kane & Myers, PLLC d/b/a and a/k/a THE702FIRM (“Defendant”), by and through its attorneys of record, Sheri M. Thome, Esq. and Holly E. Walker, Esq. of Wilson, Elser, Moskowitz, Edelman & Dicker LLP, and Plaintiff Michelle Peredia (“Plaintiff”), by and through her attorneys of record, Jason L. Kuller, Esq. and Robert Montes, Jr., Esq. of Rafii & Associates, P.C., hereby stipulate to extend the deadline for the parties to file a proposed discovery plan and scheduling order from March 20, 2025 to **March 27, 2025**. ECF No. 38. Good cause exists for this extension as the parties need additional time to prepare the proposed discovery plan and scheduling order for filing with the Court. This Stipulation is submitted and based upon the following:

1. On March 5, 2025, the Court ordered that the parties shall confer and file a proposed discovery plan and scheduling order by March 20, 2025. ECF No. 38.
2. The parties held a meet-and-confer telephonic conference on March 13, 2025.
3. On March 19, 2025, Plaintiff’s counsel submitted a draft of the proposed discovery plan

1 and scheduling order to Defense counsel, who is in the process of reviewing and revising the same.

2 4. The parties agree to briefly extend the deadline to file a proposed discovery plan and  
 3 scheduling order, up to and including **March 27, 2025**, in light of the complex procedural history  
 4 of this matter and its posture as a potential collective action. Among other topics that they will  
 5 address, the parties will include a request to reinstate briefing on whether tender futility moots  
 6 Plaintiff's claims pursuant to the Court's order granting in part and denying in part Defendant's  
 7 Motion to Dismiss. ECF No. 31. The parties also have to state their positions on what discovery  
 8 may be permitted in the pre-certification phase. Thus, the parties require more time to finalize the  
 9 proposed discovery plan and scheduling order.

10 5. This is the first request for an extension of time under the Court's March 5<sup>th</sup> Order to file  
 11 a proposed discovery plan and scheduling order.

12 6. This request is made in good faith and not for the purpose of delay.

13 Dated this 20<sup>th</sup> day of March, 2025.

Dated this 20<sup>th</sup> day of March, 2025.

14 WILSON, ELSER, MOSKOWITZ, EDELMAN  
 15 & DICKER LLP

RAFII & ASSOCIATES, P.C.

16 /s/ Sheri M. Thome

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/s/ Robert Montes, Jr.

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*Attorneys for Plaintiff*

## 21 ORDER

22 IT IS SO ORDERED:

23 

24 CHIEF UNITED STATES DISTRICT JUDGE

25 DATED: March 21, 2025